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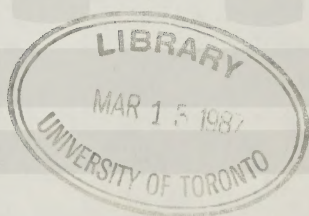
BRIEF ON BEHALF OF
BATTERED WOMEN
BY
ONTARIO STATUS OF WOMEN COUNCIL

December, 1980

Report and Recommendations
arising from the
Symposium on Family Violence



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I PURPOSE OF THE SYMPOSIUM

The Status of Women Council is deeply concerned about violence against women in this society resulting in an estimated one in ten women in Canada being "battered wives".

Accordingly, the Council held a Symposium on Wife Assault on May 8, 1980. The purpose of the Symposium was to draw together experts including formerly assaulted women, to learn of the issues firsthand, and to prepare recommendations for change.

Linda MacLeod, senior researcher with the Canadian Advisory Council on the Status of Women and author of Wife Battering in Canada: The Vicious Circle was the keynote speaker. Linda provided Council with an excellent framework for making recommendations based on her thesis that help must first be directed to meeting the needs of the victim.

Because the Council believes it important for everyone to understand the process by which its recommendations, were reached, we have endeavoured to provide indepth coverage of the Symposium.

Response to Linda's keynote speech was given by Trudy Don, Co-ordinator of the Ontario Association of Interval and Transition Houses, Amicia Gooding, Family Consultant to the London Police Force and Dr. George Awad, senior psychiatrist with the family clinic at the Clarke Psychiatric Institute.

In addition, Pat Kincaid, who is on sabbatical from the Toronto Board of Education while preparing her doctoral thesis on the extent of wife assault in Ontario, and Karen Weiler, senior policy analyst from the Ministry of Attorney General were both guests and resource people.

In the afternoon workshop four groups brainstormed recommendations which were later consolidated.

Symposium organizer and Council member Bill Kelloway, Academic Advisor to the Canadian Police College in Ottawa, was appointed to head the standing Committee on Wife Assault. Other members were Muriel Beatty, a community worker from Hamilton, and Olive Ritchie of Hamilton, Vice-Chairperson of the Council. Pat Kincaid agreed to act as a resource person to the Committee. Susan Gibson, Executive Officer of the Council acted as secretary to the Committee.

The Committee met and submitted its final recommendations to the Executive and the participants in the Symposium.

The brief and final recommendations were subsequently presented to the Ontario Government.

II SYMPOSIUM PARTICIPANTS

COUNCIL MEMBERS

Lynne Gordon, Chairperson
Toronto

Olive Ritchie, Vice-Chairperson
Hamilton

Muriel Beatty
Hamilton

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Susan Gibson, Executive Officer

Bridget Vianna, Admin. Assistant

Michelle Meyer, Researcher

Joel Shapiro, Secretariat for
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GUESTS

Dr. George Awad, Psychiatrist,
Clarke Psychiatric Institute
Family Court Clinic

Trudy Don, Transition Home worker,
Interval House (Toronto)

Amicia Gooding, Family Consultant
Family Consultant Service
London Police Force

Pat Kincaid, Consultant
Toronto Board of Education

Linda McLeod, Researcher
Canadian Advisory Council
on the Status of Women

Karen Weiler, Senior Counsel
Policy Development Division,
Ministry of the Attorney General

III INTRODUCTORY REMARKS BY COUNCIL CHAIRPERSON LYNNE GORDON

It is not likely that ten years ago - or perhaps even five years ago - a group such as ours would be sitting down together to try to improve the situation for victims of family violence - battered wives.

For battering is essentially a private event - that usually takes place in the privacy of one's home. It was a taboo subject like rape and incest. Nice people didn't want to take that first vital step of recognizing that it was a fact of life, a fact of many lives, and a fact of life no matter what the level of family income.

I see signs of change. The staff of the Federal Minister of State responsible for women has been working on an interministerial task force aimed at making changes to the Criminal Code as it relates to battered wives.

I know that the Attorney General of Ontario has shown his interest in this subject when he recently met with a group of lawyers to discuss problems raised by the lawyers relating to battered wives.

I know that our federal counterpart, the Canadian Advisory Council on the Status of Women has chosen this issue as one demanding their immediate attention. Most of you will have had the opportunity to read the excellent book on the subject written by this morning's keynote speaker, Linda MacLeod.

Linda MacLeod is presently the senior researcher with the Canadian Advisory Council on the Status of Women. She has a B.A. in psychology and mathematics from Queens, an M.A. in sociology from York University, and is presently a doctoral candidate in sociology at York.

She is, of course, the author of Wife Battering in Canada: The Vicious Circle, a book which has received critical acclaim not only for its content, but also for the excellent writing style. She has also published Women and Aging and Women and Work, both in fact sheet form for the Council. As well, she is responsible for Women in the Public Service: Barrier to Equal Opportunity.

In a previous position as a planning officer for Health and Welfare Canada, she has published Special Concerns of Elderly Women, A Compendium of Women's Issues for the National Plan of Action, and The Changing Dependence of Women: Roles, Beliefs and Inequality.

IV KEYNOTE SPEECH BY LINDA MACLEOD

Introduction

For the past 8 months, the subject of wife battering has been the centre of my work life, and a focus of visibility for our Council members. It is an extremely exciting experience to have identified and researched an issue which seems to have come of age. The press, the public and decision makers seem ready to hear about and to deal constructively with this problem - a problem which as you know has existed from time immemorial, but a problem which historically has been explained away either as "natural" male behaviour or as an aberration of certain underprivileged segments of society.

Wife battering is an issue that has come of age. This is one of the few times in history when there is a glimmering of acceptance that wife battering is a wide-spread problem - a problem not of a few unfortunates on the wrong side of the tracks as the traditional myths would have it, but a problem that is society-wide and that is society-based. There is a slow but grudging recognition that all members of a society are potential wife beaters or battered wives - at least as long as that society subscribes to economic and legal inequality on the basis of sex, and perpetuates the subordination of women in the home and in the workplace. This speech, I hope, will fill you with optimism. I hope it will energize you in our "goal" to press for action.

In my opinion, the really significant action to assist battered wives has got to be done at the provincial and local levels. Certainly, some action can be taken at the federal level. Usually legislative changes have to take place at the federal level.

Since I have written the book, I have had some very gratifying things happen to me. I would like to share the scope of the problem with you and suggest the kind of things that I think can happen at the provincial level.

One day after the book was released, two male grade 11 high school students, came to my office. They asked me to come to their school to speak to the students. They said very openly that both of their mothers had been battered - were battered currently - and that they know of many students in the school who share this problem. They were not ashamed to discuss it. They were desperate to keep it from happening again to their mothers, and to prevent it from happening in their own marriages.

I have spoken at a number of high schools. Students are very up-front about wife battering and they do not share the myths that adults so often do. I have also spoken to the Federation of Women Teachers and they are interested in introducing the subject of wife battering into their curricula. I recommend that pressure be applied at both provincial and local levels to include battered wives in all schools' curricula.

At a recent conference of law enforcement officials, I was approached by police chiefs who told me that in their view the problem lies with judges and crown attorneys. These are people without bosses. These are people for whom you cannot legislate change. They have to be approached individually and locally by people who are knowledgeable on the subject of wife battering.

Several men called to tell me their side of the story. They all talked of the oppressive responsibility they feel being the sole or major breadwinner in their family. While I was not necessarily sympathetic when they first spoke to me, I began to mellow. Women say that women don't have enough support systems. What these men are really saying is the same thing. They feel petrified by the dependence of their wives. They don't know how to change their own attitudes and they don't know how to be encouraging to their wives.

I've talked to rural women, women in isolated areas and Native women. These women remind me that they need solutions to meet their particular needs. I would implore you to keep the special needs of these women in mind when you are developing policy.

I hope these stories have impressed on you that there is a growing recognition of the problem of wife battering, and that wife battering is a multi-faceted problem - a problem with medical, ethical, legal, economic, social and civil rights dimensions - and that there is a growing commitment to change among many segments of society.

The Piecemeal Approach Currently Taken Toward Wife-Battering

While I am optimistic that there is a growing intellectual recognition of the multi-faceted dimensions of wife battering in our society, there is not yet the general movement toward initiating change which embodies that recognition. Proposals for legal change still seem to visualize wife battering as a series of discrete and separate problems. And even if there is a growing openness verbally, bureaucratic and professional policies remain largely closed to the needs of the victims of wife battering.

The results of this piecemeal approach have been that the needs of the battered wife and her children have simply not been addressed, even where action is being taken. Secondly, the victim of wife battering is caught in impossible "Catch 22" situations. These situations deepen her isolation, deepen her dependency, and deepen her terror. If we look at housing, legal and emotional situations in isolation from each other, we create incredible dilemmas for such women.

The third result of this piecemeal approach is that prevention is not seen as an attainable goal. If we're going to move towards a more comprehensive plan of action, I really feel that we must strive for prevention, we must continually go back to the needs of the victim and we must be very sensitive to these "Catch 22" situations.

The victim's reality is nothing like it is imagined by the policy makers. That creates an incredible problem both for the victim and for those working in transition houses who are trying to represent the needs and the views of the victims. I will deal first and most extensively with the needs of the victim. I believe that all systems have to be tested for their effectiveness, by how well they meet the needs of the victim. I will then contrast these experiences with the point of view of the official intervenors - police, social workers, nurses. I'm going to be a bit simplistic and lump them all together which is obviously not fair but from my experience there are some things that seem to be repeated over and over. Next I'll deal with the perspective of the policy maker because that, after all, is the person we have to hit. Finally, I'll deal with the impasse that is created by the discrepancy in these realities and contrast them with the victim's reality.

The Reality of the Victim

Let's start with the victim's reality. What does the woman who is battered say that she wants and needs? Above all she says, that she wants and needs protection, but not just the kind of protection that the police can give her. That protection is short term. It is after the fact. It treats incidents of wife battering as separate. It doesn't deal with the long term fear a woman is feeling or the long term protection she needs.

Secondly, the victim says she needs to be believed, to be given credibility, not be told that she's exaggerating or that everything will be all right when she has calmed down.

Third, the victim needs to be treated fairly and justly. This includes being given complete and accurate information on the options open to her rather than being given partial information so that she can make a decision which is convenient to the organization intervening on her behalf.

The fourth need of the victim is to have her life return to a semblance of normalcy.

Her fifth need is to have personal support - to know that she is not alone. Frequently when she comes into contact with other professionals she's given the feeling that the battering she has been exposed to is her own problem. She needs to be reassured through education that it's a wide-spread problem; that she is not alone. If the guilt for wife battering lies anywhere, it lies in our social institutions and not in the individual.

The last need she has is to be assured that her assault won't be repeated. If you keep these needs in mind I think you will see that you simply cannot visualize wife battering as it is experienced by the battered wife as a series of discrete, separate events - one scene of violence, then another scene of violence down the road. Battering causes a feeling of terror, a feeling of uncertainty, a feeling of not being able to trust in the future. She feels victimized by her husband's violence which may include the threat of future repetitions, memories of past assaults, and on-going terror. It includes feelings of rejection, of love lost, of worthlessness and of a general floating fear. She also experiences victimization through the system's response because the system is often totally unsympathetic to the victim's needs as she experiences them. They may not be unsympathetic, but when they approach her with concern for only one dimension of her problem her experience is that she is not being believed or not being understood.

A woman discovers that if she lays a charge of assault against her husband she'll still have to share the same house with him until the trial which is frequently weeks or even months ahead. How does this address her need for protection? She may find that a request to the Crown Attorney to drop charges against her husband is interpreted as her indecision or as an expression of reconciliation when, in fact, the request was precipitated by her husband's threats at renewed violence or his threat to take the children. How does this respond to her need for fair treatment? A social worker may tell her that she cannot apply for welfare until she has established residency on her own although she may have gone to the welfare office to apply for money to go out on her own. What kind of social support is this providing?

Battered women frequently find themselves caught up in these "Catch 22" situations brought about by the public service network. The battered woman finds herself caught in inflexible bureaucratic rules which deny her violent situation. One woman from outside Thunder Bay found that she couldn't stay in the Thunder Bay Residence for Women because she wasn't a resident of Thunder Bay. She found that she couldn't stay in the Salvation Army Hostel because she had stayed there once before. This is ludicrous of course because wife battering isn't a one time event. Because she was white, she was unable to stay in the hostel for Native women without approval from city officials. This is the kind of conglomeration of rules and regulations that forget the person.

Another woman was stymied when she realized that her husband socialized with all the lawyers in town and she just simply couldn't break through that circle. Yet another woman was pressured by her whole community to return to her family. These pressures, combined with the low wages women receive even if they can get a job, the impossibly high rents they often face, or the reluctance of landlords to accept single women with children, the extensive needs and wants of teenage children, the stigma of guilt and failure, and the resulting realistic belief of many women that no one will really help them, leads many women to conclude that inaction is the only option. I can't stress strongly enough that this decision to not act, is a rational decision. A battered woman doesn't have real options. Whether it's conscious or unconscious, her decision to stay with her husband is a rational decision based on the real options she does not have available in society.

The Point of View of the Official Intervenor

Within any profession there are obviously some intervenors who react better than others, those who are more empathic to the women's situation than others and in many professions there also are some discrepancies. While talking to these people, and also in the formal research I've done, there are some very striking similarities.

First of all, our social institutions are not organized to cope with wife battering as the women experience it because it's not a one dimensional crisis. As I've said ad nauseum, wife battering has to be seen as having economic, educational and all the dimensions that I've expressed so many times. However, because our institutions are set up in a piecemeal way, you have the police dealing with the legal side of the problem, the doctor's dealing purely with the women's bruises, etc.

I am going to give you a few examples of the kinds of Catch 22 problems that the woman finds herself in. One woman was pushed by a Family Court worker to allow her husband to take their children for 3 months on his good faith regarding reconciliation. Although she expressed concern that he would never return the children she finally relented after much persuasion from the court worker. Six months later the husband and the children left the province. The court worker would take no responsibility for this advice and the judge reprimanded the woman for letting young children be taken by a man with history of violence. Where is she left in this situation? The police frequently decide not to arrest because they know they won't get a conviction because of prevailing attitudes and policies of the judges.

And I really have quite a lot of sympathy with police, I don't want to whitewash them, but I think that of all the intervenors, they're probably among the most sensitive. But they see they're caught in a Catch 22 situation. They say, unless I've got eye witness evidence or some kind of proof that I can provide in the situation there won't be a conviction, it will be a waste of everyone's time.

Counselling ends up treating wife battering as if it were a crucial psychological problem, largely not because counsellors are insensitive horrible people, but because the woman is the only actor in the situation who comes to them for help and if she is the only one that comes to them they have to deal with her. So they're caught in a Catch 22 situation.

The sexual abuse of children in a home where the wife is beaten will frequently be treated as a separate problem, even though these problems are intertwined. A woman who was battered and ended up suffering psychological and economic distress of the battering couldn't get custody of a two-year old daughter because she was deemed unable to care for her because of her psychological condition. Instead, the father was given custody even though he had repeatedly sexually abused the child and the woman made the authorities aware of that.

The official intervenors are largely not personally guilty of insensitivity or insincerity and I don't want to create a vision of ogres in the system. Many of them feel brutalized by the policies and programs to which they must adhere.

However, one very crucial type of myopia or shortsightedness must be attacked. There is a lack of recognition that the same institutional rules and inconsistencies which paralyze them, also paralyze the battered wives who are caught within their web. This myopia results in a stereotyping of battered wives as confused and unable to make up their own minds. So lawyers, for example, will often express disdain and frustration at the fact that a woman who's been battered will not know what legal action she wants to take or even if she wants to take any legal action. But she's paralyzed. Again I want to stress that it's not an irrational decision. It does not mean she's a weak person psychologically.

The research findings of a recent study done in Quebec on the intervention process points out the double standard among professionals. The study indicated an increased intellectual awareness concerning the incidence and magnitude of the problem and among some, even an acceptance of the feminist dimension had increased. But when these professionals were confronted with an actual incident of wife battering their acts were different from their intellectual persuasion. When they were actually dealing with the women, they still tended to judge the women in terms of the degree of her blame and her psychological stability. They tended to pose the question of the normalcy of some violence in some form - that is - how can you have an intense interpersonal relationship without some violence?

They tended to set up communication blocks with the woman through technical terminology she didn't understand, confusing her even more. They tended to deny the validity of the woman's evidence because it was judged to be inappropriate because the version of her experience did not fit within the bounds of the account she is supposed to have given. They tended to define the woman as hopeless because she was psychologically battered as exemplified by statements such as, "she's always depressed" or "I know she won't leave" and finally, the one we've all heard too often, "she must like it if she stays".

Professionals also tended to reinforce the stereotype that the woman's main and proper role is in the home, not by saying that she should be back at home where she belongs and then this wouldn't happen, but rather by asking her to speak about her husband and her children and her home life, rather than to speak to her first about her pain, and her fear, and herself. They also tend to hide behind bureaucratic rules.

I have worked as a social worker. I understand when you're dealing with the pressure of an enormous caseload that you experience emotional burnout. Really, it's to protect your own sanity and to get your job done that you hide behind bureaucratic rules. But I think we can find ways to attack these bureaucratic rules.

Finally, professionals tend to pass the responsibility for dealing with the battered woman on to transition house workers and other social services.

Among intervenors, there is a very strong tendency to deal with wife battering as an individual family problem, rather than as a widespread social problem. This tendency is based on the tenacity of the model of wife battering as a disease or a malfunction of the wife or the husband or of the individual family relationship.

The Perspective of the Policy Maker

The perspective of a policy maker has been, at least until now, very strongly predicated on the reality of the intervenor. Governments have relied on "professionals" for leadership and advice. That is, women working in transition houses or the women who've been battered themselves are not usually seen as experts. This view point is based on the assumption that wife battering is a private problem of normal family interaction and a general tendency to deny that it is possible to reduce wife battering. This denial manifests itself in four assumptions.

One of the arguments that recurs is that our existing legal, medical and health system are adequate - all that's needed is better integration. However, good co-ordination, co-ordination that will reach the woman's needs must be accompanied with an education plan to change the attitude of many of the professionals who work in our existing institutions. Co-ordination of the institutions currently operating will not meet the women's needs.

A second argument that is constantly posed by policy makers is that crisis services for battered women are ample. After all, in Ontario we have more transition houses than in any other province. They say that what we really need to do is move on to other groups. Other groups are more important - battered wives are taken care of.

The third assumption decision makers make is that they really know what the victims want and they are working effectively to meet these needs.

This bureaucratic reality is also characterized by a number of patterns including:

1. The substitution of family violence for wife battering. Wife battering is not an acceptable description of the issue for policy makers. It is persistently subsumed under "family violence", "inter-spousal violence", etc..., with a strong focus on the impact on children, rather than women;
2. The reliance on professionals for leadership on the issue. Women themselves and women's groups are not seen as experts to be consulted nor are they seen as legitimate or effective recipients for grants, research contracts, etc.;
3. The definition of wife battering (or family violence) in largely psychological terms - as the product of faulty interaction. For the professionals the issue is largely one of enforcing control over the interaction, or changing attitudes and perhaps the behaviour of individuals. There is little or no attention paid to how seriously these assumptions about the family, conflict with the realities experienced by battered wives and how these assumptions form the basis for outmoded policies and programs that maintain the privacy of the family and the dependence of wives.

4. The reliance on strategies to control and correct this faulty interaction including;
 - . innovative ways to improve the capacity of the police to control domestic violence;
 - . programs/research to promote behavioural and attitudinal change within the family, particularly directed to eliminate child abuse.

There is no complementary focus on supporting the direct services to battered women such as those provided by transition houses.

5. A response which isolates the issue of wife battering from the fundamental issue of inequality. Strategies do not include the promotion of the independence women require to cope with the violent situations -either in terms of immediate support for alternative housing and adequate income replacement or longer-term support to promote the economic independence of women.

The Impasse

The point of all this belabouring of different ways of seeing wife battering is to stress the enormous gap between the woman's experience and the professional and bureaucratic responses to this experience. The point is also to emphasize that to really get effective action changes, these realities must be brought closer together and the professional/bureaucratic assumptions strongly challenged.

I think if we look at what happens to transition houses, you'll see that even a service that tries to meet the women's needs cannot succeed because it still is affected by the professional, bureaucratic institutions.

The Implications of This Impasse for Transition Houses and Support Service Workers

This impasse has incredible implications for transition houses. More and better support for transition houses is needed. Transition houses are the only agencies currently in operation that do meet the needs of the women, according to the women themselves. They may not meet them perfectly, but at least the women feel that they are being heard and that their reality is being understood.

However, because their philosophy and goals support the women's own reality, transition house workers find their service relegated to non-essential status by policy makers.

The demand to prove that transition houses are essential on an individual basis in their individual municipalities and location, not only negates the knowledge that violence crosses geographic lines, it also places a time consuming and a virtually impossible task in the way of providing an essential service.

Most transition houses find that they must constantly negotiate co-operation with the official intervenors, and I have seen some wonderful success stories. There are some houses that have a tremendous relationship with hospitals and the police. Some do not.

Funding

From my information, Ontario is the only province in which municipalities are allowed to decide whether transition houses should be funded. If the municipality decides to fund transition houses, it is reimbursed by the province for 80% of the cost. (The province and the federal government cost-share the amount paid to the municipality on a 50-50 basis through the Canada Assistance Plan.) However, by allowing the municipalities to make these funding decisions, the province has failed to officially recognize its responsibility to provide, co-ordinate and be accountable for this vital social service.

Lack of funding poses all sorts of problems for the transition workers in terms of putting them in impossible situations. I'll just tell you about one instance that will illustrate that.

In Thunder Bay, transition house workers were spending up to 25% of their time looking for funding. The city came to them and said fine, we will provide a house and we will fund it on a continual basis. It would be an on-going permanent service but, the city wanted to take it over, with city officials. The women who had organized the transition house were not happy with that alternative but recognized that at least there would be a guaranteed service for the women who had been battered.

So they accepted it. Now, the service is not meeting women's needs. There are no childcare facilities. There aren't even any toys for the kids there. There's no attempt to provide the emotional support to the women and children. So you see the impossible impasse that has resulted. The women who organized the house in the first place had to make an almost impossible and not very enviable decision.

The effect of this impasse upon the victim is obviously that there are still not enough centres to serve the women who need them. Transition houses have to turn away one-third of the women who come to them. I've said in my book that about 45% of Canadian women do not live in an urban centre or within convenient distance of a centre that has a transition house. The number of Canadian women who have to be turned away is probably going to grow as public awareness increases and more women are willing to come forward.

Women still feel alone, and won't admit the problem publicly. Women don't know these services are available. Women don't receive a follow-up of these support services they need. Most women seem to feel that the public frying pan is worse than the private fire and so choose to endure their wife battering only because they have no other option.

And what about the Children

Wife battering often creates a generational cycle - not just directly by teaching children that violence against women is acceptable behaviour, but indirectly as well through the psychological battering the children frequently receive in a family where the wife is battered.

The children, like the mother, need protection, a return to normalcy and social support, but these needs are often interpreted by helping professionals very simplistically. For instance, a lot of kids in transition houses were crying for their fathers and showed how much they missed them - of course they missed them - but it's too simplistic to say that the solution therefore is for the whole family to return to the father or for the father to get custody of the children. That may be a solution in some cases, but it certainly isn't in a lot of other cases. This sort of situation has to be looked at in more depth and more empathically.

Implications for an Action Program Arising out of These Impasses

Without suggesting actual recommendations, I would like to conclude this speech with a few dimensions of any action plan which I feel are necessary if the impasse is to be avoided or at least weakened.

1. To counteract the fact that women's needs are not being met and that the women's perspective is rarely heard, women who have been battered and women who work directly in the field of wife battering in support services, should be involved as consultants in any program and policy planning related to wife battering.
2. Victim services should include an educational dimension to stress the seriousness of the crime and to challenge the many myths surrounding wife battering. Any improvement in police or medical services for battered wives must be accompanied by an education program which challenges the assumptions that are frequently a part of medical or police service delivery. Special funds should be made available to transition houses to allow them to develop a public education program in their community.
3. Service should aim to involve the community in demonstrating disapproval of the crime. Social disapproval has been shown to be a very strong deterrent particularly in middle and upper class families. Community disapproval can be demonstrated subtly through community fund raising for transition houses or through the development of community networks to disseminate information. Some communities are also instituting safe houses (which are similar in concept to block parenting) to provide protection and at the same time make public proclamation that the community stands behind the victim. And on a more extreme level, groups of women in Vancouver are now going en masse to the houses of known rapists and are harassing them verbally. While both of the latter alternatives have very strong critics and the safe housing alternatives some real problems, particularly in ensuring adequate protection, I think the premise on which they are based is very sound.

4. Long-term protection and support for women who have been battered is vital. I was excited to learn recently that a women's housing co-op is planned in Toronto to open by the end of May. More initiatives of this type are needed.
5. A concern with prevention must be central. In the long-term, more money for transition houses cannot be our only goal, for transition houses, while providing necessary services for the victim, cannot eliminate wife battering. Prevention must include public education, education of children as well as adults, but of course it cannot stop there. The economic disadvantage of women must also be addressed; and women's economic disadvantage can be directly addressed, for example in imaginative sentencing alternatives. What about, instead of a fine or a prison sentence, if the sentence for a case of wife assault included automatically depositing half of the husband's paycheque in his wife's bank account?
6. Innovative sentencing alternatives must be developed which take into account the various levels and types of victimization experienced. The victim should be realistically and thoroughly informed of his/her options and should in some cases be involved in decisions made regarding the crime. This kind of program is already in place in at least two places I know of - Arizona and N.Y.

There are dangers with this approach. Feminists have argued that if all options are not realistically discussed, including the poverty women can expect to experience on their own, the woman is not helped by this alternative and in fact the net result can be instead that the woman must bear the brunt of the responsibility for the sentencing. Certainly these are realistic problems, and we should be aware of these dangers, but on the other side of the coin, victim advocate services of this type give the woman a chance to be heard and can lead to innovative sentences involving counselling where this is the wish of the victim, or financial protection, or the provision of day care, etc. In one case cited, the agreement included the stipulation that the husband would attend A.A. meetings and would pay tuition, and child care costs to enable the wife to return to school part-time.

The present system of criminal convictions alone is not an adequate response to wife battering: Even outside the obvious cost factors there are many unanticipated consequences to an emphasis on convictions:

- i. the tendency to see wife battering as isolated acts rather than as a continuum of aggression towards women;
- ii. seeing wife batterings as acts committed by the types of men most likely to be processed by our court system i.e. lower class and minority men;
- iii. depending on the courts to solve social problems;
- iv. promoting a system that has little to do with protecting women, but rather is oriented towards revenge and punishment;
- v. monetarily penalizing the woman and children in cases of wife assault by removing their source of livelihood.

I should mention in passing, the importance of reaching judges and crown attorneys - two relatively "untouchable" professional groups, but two groups which must be educated about the realities of wife battering if any legal change is to be effective. This kind of pressuring and education can only be done on a provincial or local level - and may be most effective through small group encounters with selected judges and crown attorneys known to be particularly harsh towards women who have been battered.

7. The integration of services to better meet victim needs. This integration is necessary but is fraught with obstacles. Any planned integration must be done in conjunction with women working in transition houses and other support service to minimize the "Catch 22" situation which battered women currently experience. And integration does not necessarily preclude the addition of new services to fill gaps in service delivery.

For example, one of the recommendations which came out of the CACSW consultation was that day centres be established apart from transition houses physically, but co-ordinated to them in terms of information networks and service delivery. These day centres would be non-residential meeting places for women who had been in transition houses but still felt the need of the emotional support such a group could provide and also for women who are battered and are trying to decide whether or not to stay in a transition house or to find out what other options are available to them.

8. Adequate funding for transition houses and other support services must be a top priority. My research into existing funding alternatives has convinced me that the provision of adequate funding should come through a combination of two routes:

- a) The exploration of CAP - the federal and provincial cost sharing scheme. The potential for quite a bit of flexibility under CAP does exist according to the legislation but it is not exploited fully. Quite a lot of variation exists in the way CAP is used across provinces and Ontario uses it poorly. The crux of the problem in Ontario seems to be that the province defines wife battering as a purely local event and gives the municipality total responsibility for determining whether or not transition houses will be deemed a priority service and also for providing the funding which the federal government then matches. This approach to cost sharing is not the one used in other provinces where the province takes a basic position on the priority status of transition houses, and assumes responsibility for funding these houses partly out of provincial coffers.

The first priority then towards achieving better funding of transition houses in Ontario is to persuade the Ontario government to deem transition houses priority services which are required across the province.

- b) The development of innovative funding alternatives. I will mention two which have been suggested to me:
 - i. the use of lottery money. Lotteries are big business across Canada. Why shouldn't the enormous amounts of funds currently sitting idle be used to support transition houses and other needed support services;
 - ii. in California and parts of Florida, extra money for transition houses is being collected by charging an extra \$25 for the purchase of a marriage license.

While this option can evoke strong resistance, it has the advantage of subtly educating the general public to the links between violence and the family in our society.

9. Wife battering should be divorced from the rubric of family violence at least temporarily. I'm not denying that there are sometimes links between wife battering and child abuse, but it must be recognized that of all family violence, wife battering accounts for 72%, child abuse for only 10% and husband battering only 2% (the remainder involves other relatives.) To date, wife battering has been subsumed within family violence and has been displaced by concern with child abuse. While the reforms and programs which have resulted in the area of child abuse were badly needed, it is now time we moved on to women who have virtually no protection.
10. Finally, we must be aware of the importance of networking. I recently had a very rewarding meeting with the Ontario Federation of Women Teachers who are working in this area. They opened my eyes as well to the many women's church groups which might provide an educational function regarding wife battering through preparation for marriage courses and a variety of discussion groups.

CONCLUSION

In this talk I've tried to give you some tools to build an effective action plan. We must use these tools to build on the foundation of interest and concern that is emerging. We must encourage the growing public outcry against the brutalization of women; we must press the government to translate its expressed concern into adequate funding, legislative changes and educational programs; we must persevere in a plan of action that recognizes the many dimensions of wife battering. Through concerted action using these available tools, we will recognize and respond to the victim's point of view. We will reassert the right of every woman, child and man to live a life free from violence.

V RESPONSE TO KEYNOTE

Response by Trudy Don

Trudy Don is one of the collective which runs Interval House in Toronto. She is responsible for the budget and bookkeeping. She is also the co-co-ordinator of the Ontario Association of Interval and Transition Houses.

Don feels that there is greater understanding and a changed view of domestic violence. She was optimistic about the ability of women to alleviate this problem. Don pointed out that domestic violence and specifically wife assault, is a societal problem.

Toronto's Interval House was started in 1973. Today, it has seven rooms and can accommodate up to 22 people including children. Interval House also offers protection and advocacy for battered women. It acts as a referral agency. Transition home workers give these women a list of lawyers who are known to be good in dealing with problems such as wife assault. Women are sent to sympathetic doctors. The transition home workers also go into the community and speak to high schools. The staff officially works a 35 hour week. However, all in all, workers tend to work not less than 55 to 60 hours per week.

When a woman enters the home, she is asked to draw up a set of rights that she perceives she has. Don pointed out that the rights that a woman recognizes at this point in time are minimal. However, by the time she leaves, she feels she has the right to good housing, good daycare, etc.

Don pointed out that many of the transition home workers had been battered wives. This has facilitated their ability to provide sympathetic counselling and support to women who enter the home. In Don's experience, lack of a professional degree is not a deterrent to becoming a caring, sensitive and effective hostel worker. In reflecting upon the problems involved with professional assistance, Don described in detail a case of one woman who had about eight different social workers helping her. She pointed out the problem of having too many social workers running a battered woman's life.

Don mentioned that funding has been a problem for the transition homes because there are no professionals on staff. When they approached the issue of additional funding under the Canadian Assistance Plan, or under any other kind of programme, the response has usually been that they would receive better funding if they got some professionals on staff.

Trudy Don described the 26 member Ontario Association of Interval and Transition Houses. Each house is asked to contribute 1% of its budget based on its annual financial report to the last year. There is an upper ceiling of \$100. This money is used to cover postage and travelling of co-ordinators to meetings of the association.

A recent request for funding to Community and Social Services for a paid Co-ordinator for the association brought the suggestion that transition houses should join with other half-way houses which provide services to alcoholics, or the mentally retarded. Don felt this response demonstrated a lack of knowledge on the part of the ministry as to the need for a tranquil and supportive environment for abused mothers and their children.

Reponse by Dr. George Awad

Dr. George Awad is a senior psychiatrist with the family clinic at the Clarke Institute of Psychiatry. He is also an Associate Professor in the Dept. of Psychiatry at the University of Toronto. Dr. Awad is the author of many articles including The Process of Psychiatric Work with the Juvenile Court and Clinical Consultation in Custody and Access Disputes which he co-authored with Dr. Clive Chamberlain.

In his opening remarks Dr. George Awad pointed out that his viewpoint was biased given that his source of information was through the dealings with parents and children who came for help at the Clarke Institute.

Awad agreed with Linda MacLeod's observation that judges and the police are their own bosses. He felt that it was important to reach them and that an ongoing process should be developed to facilitate dealing with the problem of wife assault. The difficulties encountered in dealing with the problem of wife assault can be compared to the problems of juvenile delinquency dealt with through the Children's Services Division of the Ministry of Community and Social Services. While the Children's Services Division is moving in the direction towards more community solutions, judges have continued to move in the opposite direction in committing juvenile delinquents to training schools.

Awad stressed the importance of recognizing the perspective of men within the issue of wife assault.

Awad also agreed with the "Catch 22" theme raised by MacLeod, pointing out that he felt that he dealt in those type of situations.

Awad pointed out as well that no matter how many solutions are proposed to the problem of wife assault, he felt that there was a much more deeply rooted problem which stemmed from the relationship between a man and woman and the role of power and expectation within this relationship.

Awad expressed the belief that the major changes which will effectively eliminate or alleviate wife assault will not come from institutional solutions but rather from changes within individual interpersonal and intrapersonal relationships.

Awad went on to describe the nature of the clientele that he deals with in his case load at the Clarke Institute. In all the cases Awad has seen, he felt that there was a psychiatric disorder in both the husband and the wife and in the relationship between that particular couple. The men he described are found to be very paranoid, suspicious and basically, very threatened. Their sense of self esteem can only be maintained by a feeling of superiority which is maintained through wife abuse. Any change in this practice particularly if the woman becomes more assertive, threatens them and they respond to that.

Awad found the women within his caseload have low self esteem. Their need for love and affection is very strong. The relationship between the man and the abused wife, in a very pathological way, provides for the love the woman needs. Awad stated that from a psychiatric point of view, abuse is the price they pay to get that love.

Awad agreed with other speakers in recognizing that wife assault is a multi-faceted problem within which the medical, legal, economic, educational and civil rights of the abused woman must be taken into consideration. Any attempt at a piecemeal response is not going to achieve much. Awad felt, however, that there had been an underestimation of psychological factors entailed in the problem of wife assault.

Response by Amicia Gooding

Amicia Gooding is a social worker by profession who is employed as a family consultant to the London Police Force. She has a varied background, having worked in children's institutions, on a crisis hot-line, and with retarded people. She was involved in the establishment of the transition house in London.

Gooding began her remarks with a systems analysis of how family violence fits into the larger societal context. Within this context she outlined how all people have to adapt to the way society is. Differences between the extent to which one has to adapt and one's ability to adapt to society can result in anger against society. This anger can be channelled into what Gooding described as "the office boy kicking the dog syndrome" whereby a man who is frustrated and angry at work would come home and kick his wife to vent his frustration. Another important cause of family assault is when a verbal argument between the couple gets out of hand and degenerates into a physical fight. Gooding also stressed that it was important not to ignore the emotional abuse that is entailed in wife battering.

Gooding went on to describe the Family Consultants Service which has been operating in London for eight years. The service is provided by a team of crisis intervention professionals of various backgrounds which have included psychologists, psychiatric nurses, and social workers. They are not police officers but are employed by the London Police Force. They become involved in domestic disputes only at the request of the police and generally with the clients' agreement. The consultants do on-the-spot crisis intervention at the time of an incident, usually within twenty minutes of having been requested by the police officer. This service tries to provide a battered woman with a feeling that she can get help. The consultant tries to help them, while at the same time reducing the competitiveness between the couple. Approximately one third of the cases which the Family Consultants Service deals with are referred on to other agencies or to a counsellor who is already involved.

Based on an in-depth study of the police force some time ago, Gooding pointed out that within the London area, family violence formed about 15% of the police caseload. Although the police are aware of the legal aspects of family violence, they generally feel ill-equipped to deal with concurrent family relationships. Of all cases of domestic violence handled by the Family Consultants Service in 1979 in the London area, 48% were cases of wife assault, 3% involved husband assault, 8% were cases of parents assaulting juveniles, 3% involved juveniles hitting parents, sibling assaults made up another 3%, 10% were parent-adult assault and 20% were cases involving multiple assaults.

Gooding went on to discuss some of the police perceptions that she had seen from her own experience as a family consultant working with the London Police Force in domestic violence cases. According to Gooding, the police are reticent to go into cases of domestic violence as they feel that there is very little that they can do except cool off the situation. But they recognize that this will not be a long-term solution. The police also have developed a certain cynicism because many women who are in a position to lay charges against their husbands refuse to give evidence, for the reasons outlined in MacLeod's speech. With the London Police Force, if there is any kind of visible injury beyond a bruise, the police will generally lay charges.

As a means of protecting a woman who has been assaulted by her husband from further beatings, members of the London Police Force use Section 31 of the Criminal Code which allows for the arrest of a person found committing a breach of the peace. Under that section, a person whom the police think is most likely to be violent, is arrested and lodged in a cell until there is no further threat of violence. The person is then released and no charges are laid. In certain cases, this action has acted as a deterrent to further domestic disputes. However, it is only a short-term measure and may serve to increase anger and conflict between the partners.

Gooding stated that the sheriff has the responsibility for enforcing family court orders in Ontario. However, the sheriff is not available after office hours, which is when most domestic violence occurs. She speculated that the use of in-car computers could instantly provide the officer with relevant information before intervening.

Gooding stressed the need for additional legal protection for battered women. She felt that the criminal justice system should ensure that peace bonds and restraining orders are enforced thereby providing greater protection by keeping an assaulter away from the vicinity of the abused woman's residence. She also suggested that a special day should be set aside once a week in the courts for dealing with family assault so that the women would not be forced to remain in an unsafe situation.

Gooding concluded by stating that research on the London Family Consultants Service has shown that the level of violence has tended to go down after intervention by the Family Consultants Service.

VI QUESTION AND ANSWER SESSION

- Q. If a woman drops the charges that she has laid, can or should the Crown Attorney proceed against her wishes?
- A. McLeod stated that most women drop charges out of fear of reprisal against themselves or their children. MacLeod feels that the Crown Attorney should proceed only if adequate protection were available to the woman and her family. Awad felt that going against the victim's wishes was patronizing. Weiler stated that society has a right to see justice done when a crime has been committed. Don felt that the Crown Attorneys should proceed in order to emphasize the severity of the crime to society.
- Q. The need for long term research on the effectiveness of transition houses was raised.
- A. Everyone agreed to the usefulness of program evaluation, but the funds for staff to provide this information are scarce. Kincaid reported that statistics were now available on Interval House from 1975 to 1979.
- Q. Don was asked what she would do with unlimited funding?
- A. She responded that better pay to transition home workers and second-stage housing were top priorities.
- Q. Gooding was asked what kind of advice the Family Consultants give battered women who choose not to leave the home.
- A. Families learn problem solving skills such as avoiding violence by speaking in a less abusive way so that points can be made without force.

- Q. The difficulty of getting funds for services for battered women was raised.
- A. Clarke suggested that the Council should encourage women's traditional organizations and church groups to support transition houses.
- Q. The need for follow up when a woman leaves the hostel was raised.
- A. Don said that at one point, Interval House received a grant for a co-ordinator to do follow-ups on women who had used the facility. However, nothing has been developed on an ongoing basis. Although there is no formal mechanism for conducting follow-ups. Some women have continued to meet informally.

VII RECOMMENDATIONS

COMMUNITY INTERVENTION POINTS

1.0 Police

- 1.1 That all those providing service and information to victims of wife assault be sensitized to the perspective of victim.
- 1.2 That the Ontario Police Commission be asked to ensure that every police officer in the Province receive a minimum of 100 hours of instruction in crisis intervention.
- 1.3 That the police be alerted as to the effectiveness of the use of Section 31 of the Criminal Code to incarcerate the abuser overnight.

Hostels

- 1.4. That shelters for women be the co-ordinating and focal point for all community services for battered women. Shelter service should provide access to:
 - a. 24 hour childcare
 - b. emergency legal assistance
 - c. comfort and counselling
 - d. emergency medical aid and victim advocacy
 - e. career counselling
 - f. referral and available services - community second stage housing
 - g. follow-up services
 - h. crisis lines and emergency transportation
 - i. crisis household moving teams
- 1.5 That a co-ordinator be provided by the Ministry of Community and Social Services to assist the Ontario Association of Interval and Transition Houses in developing sustaining funding arrangements so that crisis workers can devote their time and talent to working directly with the victims of family violence. The co-ordinator would also act as spokesperson for the OAITH.
- 1.6 That industry or foundations be encouraged to provide funds for a professional fund raiser to raise money for shelters for women.

The Legal System

- 1.7 That wife assault be recognized as a crime against society.
- 1.8 That police officers and judges be challenged and encouraged to regard domestic violence as equally serious an offence as violence between strangers.
- 1.9 That the reporting of wife assault be made mandatory by law and that the information be maintained provincially similar to the child abuse register now maintained in the Ministry of Community and Social Services.
- 1.10 That the victim be allowed to "lay an information" with the investigating police officer on the spot, instead of being required to make a special trip to the Justice of the Peace the next day, resulting in the police laying the charge.
- 1.11 That a "morning after" court be established to enable an immediate hearing, due to the continuing danger to the victim. In the event that a "morning-after" court is not available, expeditious resolution should be sought. By this, it is meant that the trial should take place upon entry of plea and without remand.
- 1.12 That judges be urged to consider a special weekly day for inter-spousal conflicts.
- 1.13 That the Attorney General's office recognize the need to sensitize Crown attorneys and judges to the reality and unique needs of the victim in cases of wife assault and that imaginative, alternative sentences be sought. One might decree that a portion of the husband's income be set aside for use by the wife in case of recurring family violence.
- 1.14 That the Attorney General, in conjunction with the Ontario Police Commission, provide all police forces in Ontario with the resources necessary to provide a comparable family crisis intervention service to the Family Consultant Service of the London Police Force.

- 1.15 That the Attorney General, in conjunction with the Ontario Police Commission, provide a pamphlet on the use of existing law-restraining orders, peacebonds, family law reform, and that police use the pamphlet to instruct victims on the legal options available to them.

THE WIDER PICTURE

2.0 Need for Prevention

- 2.1 That wife battering be recognized as assault and that it be considered in its own right, not only as a subset of family violence.
- 2.2 That the Ontario government recognize wife assault as a serious social issue with economic, health, legal and educational ramifications, and in order to better understand the extent of wife assault in Ontario, funding be allocated to do research and gather more detailed statistical data regarding this issue.
- 2.3 That research into the causes of family violence, inter-spousal violence, child abuse, with specific emphasis on wife assault, be funded by the Ontario government. Research should provide an adequate theoretical foundation for a preventative program directed at the intervention, control and eventual elimination of this social problem.

Need for Education

- 2.4 That wife assault be part of the course content in any one of the following courses: Family Life Education, Law, Physical and Health Education, Man and Society (Man and Society should have a non-sexist title, e.g. People and Society)
- 2.5 That the Ministry of Education develop a Guideline for a Life Skills course to include developing effective interpersonal problem solving skills, conflict management, stress reduction techniques and anger control, and that these courses become part of the core curricula.
- 2.6 That the Attorney General or the Provincial Secretary for Justice hold a consultation on wife assault similar to the consultation on rape and that victims of wife assault be included.

Need for Long Range Funding

- 2.7 That the Ontario Status of Women Council support the Canadian Status of Women Council on recommended changes to the Canada Assistance Plan (CAP).

The CACSW recommends that:

- . The Social Service Program Branch of Health and Welfare Canada undertake a feasibility study for completion and public release before January 1, 1981, on the potential of the Canada Assistance Plan to adequately fund transition houses and other support services, including safe houses for battered wives. Our preliminary research into the legislation defining CAP and provincial disparities in the use of CAP, suggest that the mechanism does exist for more predictable, flexible funding. A totally new funding program does not therefore appear to be necessary but instead a more imaginative and committed use of the cost sharing arrangement already in place through CAP, is needed.
- . Specifically, the CACSW recognizing that one change in the system can have ramifications through the system, asks the Social Services program Branch of Health and Welfare Canada, to address the following issues in its feasibility study:
 - a) the elimination of family income as the basis of needs testing for women who have been battered and approach transition houses, and replacement of the family income criterion with a needs test based on the personal income of the women themselves in order that the transition houses receive payment for providing a temporary residence for more women and their children. CAP is designed in certain circumstances to serve people likely to become needy i.e. eligible for welfare, if they do not have access to these services. This approach to need is applicable to battered women since most women who have been battered do not have access to sufficient money to support themselves and their children regardless of their family income;
 - b) the elimination of residence requirements for women coming to transition houses. Until there is a transition house in every community, many women will be forced to travel outside their area of residence to find protection. Again, this suggestion is within the original spirit of CAP to make residency requirements more flexible;

- c) incorporation of services such as child care and counselling services within transition houses, and the provision of additional funds for these services under the Welfare services component of CAP;
- d) development of an educational package to better inform provincial, territorial and municipal politicians and officials as well as women workers in the field, of the scope, flexibility and advantages of CAP funding and other funding options where they exist;
- e) use of CAP to provide non-residential day centres for women who have stayed in transition houses or are considering a stay in a transition house, as well as other services, including childcare, counselling, crisis lines, second-stage housing and safe houses where necessary in rural and isolated areas.

RECOMMENDED READING

The following have been selected by Pat. J. Kincaid who is currently engaged in doctoral research on husband-wife violence in Ontario.*

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